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MM91/0609

EXAMINER

ZWEIZIG, J

ART UNIT

PAPER NUMBER

2816

DATE MAILED: 06/09/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/153,864

Applicant(s)
Page et al.

Examiner
Jeffrey Zweizig

Group Art Unit
2816



☒ Responsive to communication(s) filed on 5/15/00

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-17 is/are pending in the application.

Of the above, claim(s) 14-17 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-13 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on 9/16/98 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5 & 8

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Election/Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-13, drawn to a power ON reset circuit, classified in class 327, subclass 143.
 - II. Claims 14-17, drawn to a memory device, classified in class 395, subclass 500.
2. Applicants have elected Group I, claims 1-13. Claims 1-13 are directed toward a power ON reset circuit. Claims 14-17 are directed toward a memory with a program. These are two entirely different systems with two entirely different classifications and searches. Claims 14-17 are withdrawn from consideration.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the first circuit, the circuit for starting, the switched converter, the regulator, the PLL and plurality of clocks must be shown or the features canceled from the claims. No new matter may be entered.

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Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-13 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It would appear that the power ON reset circuit of the present invention is merely directed toward the empty box 795 shown in Fig. 7. Box 795 does not support any of functions recited in the claims. That is, no circuitry has been disclosed to support the claims or to allow one of ordinary skill in the art to implement the claimed invention. It would appear that the claims are further directed toward the waveform and flow chart diagrams shown in Figs. 25-27, but again, the specification does not appear to disclose how the box 795 would generate these waveforms and functions. The claims cannot find support in such an ambiguous specification. Claims 1-13 are not properly enabled.

The power ON reset circuit (i.e., box 795 shown in Fig. 7) does not show the first circuit, the circuit for starting, the switched converter or the regulator recited in claims 1-7. Claims 1-7

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are not properly enabled. Likewise, there are no disclosed means to perform the methods recited in claims 8-13. Claims 8-13 are not properly enabled.

Further, the relation ship with the PLL and the plurality of clocks is not understood. These components are also not shown in Fig. 7. Additionally, the power ON reset circuit 795 is shown as being isolated from the reset of the circuitry. It is not understood how the power ON reset circuit would interact with the PLL or the plurality of clocks even if the PLL or plurality of clocks were shown. Claims 1-13 are not properly enabled.

In claim 1, it is not understood what circuit or component is responsible for performing the action recited in part c. There appears to be no supporting structure for this function. Claims 1-7 are not properly enabled.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Insofar as understood, the power ON reset circuit is directed toward the empty box 795 in Fig. 7, yet the claims define the power ON reset circuit as containing many components. It is not understood toward what the first circuit, the circuit for starting, the switched converter or the

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regulator is directed as recited in claims 1-7. Additionally, it is not understood toward what the PLL and plurality of clocks are directed. Claims 1-7 are indefinite. Likewise, there are no disclosed means to perform the methods recited in claims 8-13. Claims 8-13 are indefinite.

Claim 1 defines a power ON reset circuit comprising a first circuit that applies a voltage to the power ON reset circuit. Does this mean that the power ON reset circuit is applying a voltage to itself? Also, it is not understood if the clocks are inhibited before or after the threshold is reached. What component within the power ON reset circuit has the threshold? What component releases the inhibited clocks? What voltage reaches stability? Claims 1-7 are indefinite. Claims 8-13 are similarly indefinite.

Insofar as understood, the switched converter is some sort of dc voltage supply. It is not understood why the output of such a supply would have a duty cycle. Claims 2-5 & 8-11 are indefinite.

Claim 7 is not a complete sentence. Claim 7 is indefinite.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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9. As best understood, claims 1, 6, 7 & 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Shaik et al. (USPN 5,623,234).

Fig. 1 shows a first circuit (ENABLE PLL), a starting circuit 16, a PLL 8 and an inhibitor 10 as recited in claim 1.

Further shown is a regulator (LOCKED) as recited in claim 6.

The components are on an integrated circuit 2 as recited in claim 7.

Claim 12 is anticipated for the reasons above.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Zweizig whose telephone number is (703) 305-7243. The examiner can normally be reached on Monday through Friday from 7:00 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

JZ


Jeffrey Zweizig

June 8, 2000

Primary Examiner

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